



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/691,334 | 10/18/2000 | Aninda Dasgupta | US 000013 | 5217 |
| 24737 | 7590 | 09/21/2004 | EXAMINER | |
| PHILIPS INTELLECTUAL PROPERTY & STANDARDS | | | | TRUONG, LECHI |
| P.O. BOX 3001 | | | | |
| BRIARCLIFF MANOR, NY 10510 | | | | |
| ART UNIT | | PAPER NUMBER | | |
| | | 2126 | | |

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

D/V

| | | | |
|------------------------------|--------------------------|------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/691,334 | DASGUPTA, ANINDA | |
| | Examiner LeChi Truong | Art Unit 2126 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 May 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) Interview Summary (PTO-413) Paper No(s) _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

1. Claims 1-24 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a), which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admit prior Art (APA) in view of Gibbs et al (US. 6,292,187 B I) and further in view of Paramvir Bahl (Software-only Compression, Rendering, and Playback of Digital Video).
3. **As to claim 1**, APA teaches the invention substantially as claimed including: a digital audio playback device (DAPD) (digital audio playback devices (DAPD, page 1, ln 9-15), a connected processing system (the PC, page 3, ln 5-23), executing (executed, page 3, ln 20- 24), the external interface (playback device, page 3, ln 5-23), a user interface application program (a UI software application, page 2, ln 14-17/ a the program for controlling the connected user interface, page 3, ln 20-23), a memory (memory, page 1, ln 15-18), storing (download, page 4, ln 1-7), a X DAPD application programming interface (API) (the libraries consists contain implementations of application programming interfaces (API), page 4, ln 1-15).

4. APA does not teach DAPI API capable of external interface causing a processor to access and control a user interface and display, on a monitor screen associated with said connected processing system. However, Gibbs teaches DAPI API capable of external interface causing a processor to access and control a user interface: and displayed on a monitor screen associated with said connected processing system (the user interface generation is performed by Application Programming Interfaces (APIs) with resided in the host software of the intelligent device 60 / an API which is part of the host software of the intelligent device 60 for generation of a use interface on a display screen 10, col 5, ln 15-51/ col 7, ln 27-40/ col 8, ln 27-65).

5. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA and Gibbs because Gibbs's "the user interface generation is performed by Application Programming Interfaces (APIs) with resided in the host software of the intelligent device 60 / an API which is part of the host software of the intelligent device 60 for generation of a use interface on a display screen" would allow a manufacturer to have some controls over the look and feel of the user interface components, but it is generic enough to be applied across many broadcast applications.

6. APA and Gibb do not teach X as reverse. However, Paramvir teaches reverse (the API is able to support operation such as random access, fast forward and fast reverse, page 31, line 33-37).

7. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA, Gibbs and Paramvir because Paramvir's "API is able to support operation such as random access, fast forward and fast reverse" would provide greater flexibility in terms of algorithmic control.

8. **As to claim 2**, Gibbs teaches DAPA API comprises instructions capable of communicating with and controlling an operation of said user interface application program (the user interface generation is performed by application programming intelligent (APIs) which reside in the host software of the intelligent device 60, col 7, ln 26-39).

9. **As to claim 3**, Gibbs teaches first data (the predetermined mattes, col 8, ln 41-76), a manufacture (TV field, col 9, ln 1-5).

10. **As to claim 4**, Gibbs teaches at least a portion of user Interface (portion of the associated component, col 7, ln 1-25).

11. **As to claim 5**, APA teaches a logo image (logo, page 5, ln 15-21).

12. **As to claim 6**, APA teaches a Universal Resource Locator (URL)(a web site, page 5, ln 15-21).

13. **As to claim 7**, it is an apparatus claim of claim 1; it is rejected for the same reason of claim 1 above. In addition, APA teaches an audio files (audio files, page 3, ln 5-20), an external interface of being coupled to an connected digital audio playback device (software libraries made available by the manufacturer of the digital audio playback device and resident on the connected device , page 4, ln 1-3).

14. **As to claims 8-12**, they are apparatus claims of claims 3-6; therefore, they are rejected for the same reasons as the claims 3-6 above.

15. **As to claim 13**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as the claim 1 above.

16. **As to claims 15-16**, they are apparatus claims of claims 2-4; therefore, they are rejected for the same reasons as the claims 2-4 above.

17. **As to claim 17**, Gibbs teaches first data (the predetermined mattes, col 8, ln 41-76), at least a portion of user interface (portion of the associated component, col 7, ln 1-25).
18. **As to claims 18-19**, they are apparatus claims of claims 5-6; therefore, they are rejected for the same reasons as the claims 5-6 above.
20. Claims 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admit prior Art (APA) in view of Gibbs et al (US. 6,292,187 B 1) in view of Paramvir Bahl (Software-only Compression, Rendering, and Playback of Digital Video) and further in view of Fanshier et al (US. Patent 5,751,962).
21. **As to claim 20**, APA teaches the invention substantially as claimed including: a digital audio playback device (DAPD) (digital audio playback devices (DAPD, page 1, ln 9-15), a connected processing system (the PC, page 3, ln 5-23), executing (executed, page 3, ln 20- 24), the external interface (playback device, page 3, ln 5-23), a user interface application program (a UI software application, page 2, ln 14-17/ a the program for controlling the connected user interface, page 3, ln 20-23), a memory (memory, page 1, ln 15-18), storing (download, page 4, ln 1-7), a X DAPD application programming interface (API) (the libraries consists contain implementations of application programming interfaces (API), page 4, ln 1-15).
22. APA does not teach DAPI API capable of external interface causing a processor to access and control a user interface and display, on a monitor screen associated with said connected processing system. However, Gibbs teaches DAPI API capable of external interface causing a processor to access and control a user interface: and displayed on a monitor screen associated with

said connected processing system (the user interface generation is performed by Application Programming Interfaces (APIs) with resided in the host software of the intelligent device 60 / an API which is part of the host software of the intelligent device 60 for generation of a use interface on a display screen 10, col 5, ln 15-51/ col 7, ln 27-40/ col 8, ln 27-65).

23. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA and Gibbs because Gibbs's "the user interface generation is performed by Application Programming Interfaces (APIs) with resided in the host software of the intelligent device 60 / an API which is part of the host software of the intelligent device 60 for generation of a use interface on a display screen" would allow a manufacturer to have some controls over the look and feel of the user interface components, but it is generic enough to be applied across many broadcast applications.

24. APA and Gibb do not teach X as reverse. However, Paramvir teaches reverse (the API is able to support operation such as random access, fast forward and fast reverse, page 31, line 33-37).

25. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA, Gibbs and Paramvir because Paramvir's "API is able to support operation such as random access, fast forward and fast reverse" would provide greater flexibility in terms of algorithmic control.

26. APA, Gibbs, Paramvir do not teach instructions stored removable storage medium readable. However, Fanshier teaches instructions stored removable storage medium readable (SM API 34 are all tangibly embodied in ... or removable data storage device 16 coupled to the computer 12 or 18, col 3, ln 65-68 to col 4, ln 1-5).

27. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA, Gibbs, Paramvir and Fanshier because Fanshier's "the API 34 are all tangibly embodied in ... irremovable data storage device 16 coupled to the computer 12 or 18" would provide the function necessary for the desired system administrations.

28. **As to claims 21-24**, they are apparatus claims of claims 2-4, 17; therefore, they are rejected for the same reasons claims 2-4, 17 above.

Response to the argument

29. Applicant amendment filed 05/03/2004 has been considered but they are not persuasive. In the remark, applicant argued (1) "the API is able to support certain operations, but it does not teach or suggest a reverser DAPD API which is capable of causing said processor to access and control a user interface associated with said user interface application program, let alone a memory which stores the reverse DAPD being coupled to the external interface", "a reverse API is, for example, one that request that a user interface application program display some information on the screen".

(2) "the Paramvir reference merely states that the API is able to support operations such as random access, fast forward, and fast reverse. Applicant does not see where it states that the API is a reverse digital audio playback device application program interface".

30. Examiner respectfully traversed applicant's remark:

As to point (1), Since, Gibbs teaches DAPI API capable of external interface causing a processor to access and control a user interface: and displayed on a monitor screen associated with said connected processing system (the user interface generation is performed by Application Programming Interfaces (APIs) with resided in the host software of the intelligent device 60 / an

API which is part of the host software of the intelligent device 60 for generation of a use interface on a display screen 10, col 5, ln 15-51/ col 7, ln 27-40/ col 8, ln 27-65), the DAPI API of Gibbs is a reverse DAPI API. The API of Gibbs performed the same the process as the reverse DAPI API even though Gibbs does not show the term reverse.

As to point (2), Paramvir teaches reverse API since API can support a fast reverse. Gibbs teaches DAPI API capable of external interface causing a processor to access and control a user interface: and displayed on a monitor screen associated with said connected processing system (the user interface generation is performed by Application Programming Interfaces (APIs) with resided in the host software of the intelligent device 60 / an API which is part of the host software of the intelligent device 60 for generation of a use interface on a display screen 10, col 5, ln 15-51 /col 7, ln 27-40/ col 8, ln 27-65)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Al An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR Status information for unpublished applications are available through Private PAIR only. For more information about the PAIR

Application/Control Number: 09/691,334
Art Unit: 2126

Page 9

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

March 18, 2004



MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER, 2100